

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDREW SKELTON,
Plaintiff,

v.

**BOROUGH OF EAST GREENVILLE and
KEITH GERHART, Individually and in his
capacity as Mayor of East Greenville
Borough,**
Defendants.

CIVIL ACTION

NO. 20-4500

ORDER

AND NOW, this 30th day of June, 2021, upon consideration of Defendants' Motion to Dismiss Plaintiff's Amended Complaint (Document No. 13, filed December 15, 2020), Plaintiff's Opposition to Defendants' Motion to Dismiss the First Amended Complaint (Document No. 14, filed December 29, 2020), and Defendants' Reply Brief in Support of Defendants' Motion to Dismiss Plaintiff's Amended Complaint (Document No. 15, filed January 13, 2021), for the reasons stated in the accompanying Memorandum dated June 30, 2021, **IT IS ORDERED** that defendants' Motion to Dismiss is **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. The Motion to Dismiss is **GRANTED** to the extent it seeks dismissal with prejudice of plaintiff's claims under the Rehabilitation Act of 1973; and
2. The Motion to Dismiss is **DENIED** in all other respects.

IT IS FURTHER ORDERED that a preliminary pretrial conference will be scheduled in due course.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.